



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM :

THE HON'BLE MRS.VIJAYA.K.TAHILRAMANI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.20372 of 2019
and W.M.P.No.19706 of 2019

E.Seenu Kumaravel

.. Petitioner

-vs-

1.Government to Tamil Nadu,
Rep. By Secretary to Government,
Housing and Urban Development Dept.,
Secretariat, Chennai-9.

2.Greater Chennai Corporation,
Rep. By its Commissioner,
Ripon Building, Chennai 600 003.

3.Greater Chennai Corporation,
rep. By its Executive Engineer,
Division-119, Zone-09,
Mylapore, Chennai 600 004.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2nd and 3rd respondents to forebear them from interfering with the building put up at No.111/2, V.M.Street, Mylapore, Chennai 600 004, in any manner particularly by way of locking and sealing and or demolition of the same, pending final determination of the statutory appeal under Section 80(A) of the Tamilnadu Town and Country Planning Act, dated 01.07.2019 by the 1st respondent.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.S.N.Parthasarathy
Govt. Advocate for R-1

: Dr.C.Ravichandran
Stdg. Counsel for RR 2 and 3



O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Heard the learned counsel for the petitioner, Mr.S.N.Parthasarathy, learned Government Advocate, who takes notice for respondent no.1 and Dr.C.Ravichandran, learned Standing Counsel, who takes notice for respondent nos.2 and 3.

2.The case of the petitioner is that he received a notice under Sections 56 and 57 read with 85 of the Tamil Nadu Town and Country Planning Act, 1971. The said notice is dated 26.06.2019. The notice pertains to the construction of building situated at No.111/2, V.M.Street, Mylapore, Chennai 600 004. Being aggrieved by the said notice, the petitioner preferred an appeal on 01.07.2019. The petitioner also preferred an application for stay in the said appeal on the same date, i.e., 01.07.2019.

3.The grievance of the petitioner is that though the appeal and the stay application were preferred on 01.07.2019, till today, neither the appeal nor the stay application has been decided. The petitioner apprehends that if no order is passed in the stay application, action may be taken by the authorities against his building.

4.In view of the above, we direct the first respondent to dispose of the stay application preferred by the petitioner on 01.07.2019 within a period of ten days from the date of receipt of a copy of this order and the appeal be disposed of as expeditiously as possible thereafter.

The writ petition is disposed of with the above observation. No costs.

sra

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Govt. of Tamil Nadu,
Housing and Urban Development Dept.,
Secretariat, Chennai-9.



2.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 600 003.

3.The Executive Engineer,
Greater Chennai Corporation,
Division-119, Zone-09,
Mylapore, Chennai 600 004.

+1cc to Mr.Dr.C.Ravichandran, Advocate, SR.No.59457

+1cc to Mr.D.S.Rajasekaran, Advocate, SR.No.59130

+1cc to the Govt.Pleader, Vide Sr.No.59769

W.P.No.20372 of 2019

Kak(03/09/2019)